

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FALCON ENTERPRISES, INC., *et al.*,

Plaintiffs,

vs.

NOBEL DEVELOPMENTS, INC., *et al.*,

Defendants.

No. CV06-1404RSL

ORDER DENYING IN PART  
DEFENDANTS' MOTION TO STAY  
AND FOR AN EXTENSION TO  
FILE ANSWER

This matter comes before the Court on "Defendants' Motion to Stay, Or in the Alternative, to Extend Time to Answer" (Dkt. #8). Defendants seek a stay pending the resolution of a motion to transfer filed by plaintiffs in a related declaratory relief action in the Central District of California. Alternatively, defendants seek an extension until December 24, 2006 to respond to the Complaint. Plaintiffs argue that defendants' motion to stay should be denied and contend that defendants should be ordered to answer the complaint within ten days of the Court's ruling on this motion.

The Court is mindful of the motion to transfer currently pending in the Central District of California, but notes that the declaratory action in California involves only one of the six defendants in this case and concerns only the limited question of whether plaintiffs' copyrighted works were willfully infringed. It is therefore unclear what benefit would be derived from staying the current action regardless of whether the pending motion to transfer is ultimately

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1 granted or denied. As such, defendants' request for a stay is denied.

2 On the question of extending defendants' time to file an answer, the parties seem to be in  
3 relative agreement. Defendants seek an extension until December 24, 2006. Plaintiffs seek an  
4 order requiring defendants to answer the complaint within ten days of the Court's ruling on this  
5 motion. Keeping in mind the upcoming court holiday, the Court orders defendants to file an  
6 answer by December 26, 2006.

7 For all the foregoing reasons, defendants' motion is DENIED in part and GRANTED in  
8 part.

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10 DATED this 13<sup>th</sup> day of December, 2006

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13 Robert S. Lasnik  
14 United States District Judge  
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